



Internet Email: opd@opd.wa.gov

**WASHINGTON STATE
OFFICE OF PUBLIC DEFENSE**

(360) 586-3164
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TO: County Officials
FROM: Joanne Moore, Director
DATE: July 12, 2006
RE: Procedure for applying for public defense funding

Applying for county public defense funding

RCW 10.101.050 authorizes counties to apply for their pro rata share of appropriated funds to improve the quality of public defense services for both juveniles and adults. Enclosed is an application for public defense funds (the application is also available at www.opd.wa.gov) and a table of the estimated pro rata share for each county.

Applications are due on August 31, 2006. The Washington State Office of Public Defense (OPD) plans to disburse funds by October 20, 2006, for use by the counties through the end of the 2007 calendar year. Application materials submitted in hard copy should be three-hole punched and placed in a three ring binder. Alternatively, application materials may be submitted as an email attachment. (No faxes please.)

Under the statute, funds must be used to make appreciable demonstrable improvements in the delivery of public defense services. It is anticipated that usage of these funds will ordinarily be determined in consultation with the county courts and public defense attorneys.

Please note that while Chapter 10.101 RCW does not require any specific public defense contract provisions this year, the statute does specify that to qualify for continued funding in future years, counties need to ensure that well-qualified attorneys handle the most serious cases; that county contracts provide funding for court-ordered expert and investigator costs and for compensation as ordered by the court for extraordinary cases; and that counties set up a valid method for appointing conflict counsel. See RCW 10.101.060. Almost all county public defense contracts already meet these requirements.

For information regarding the improvement of public defense services or this application, contact OPD Public Defense Services Managers George Yeannakis or Terry Mulligan:

Email: george.yeannakis@opd.wa.gov or terry.mulligan@opd.wa.gov

Phone: 360-586-3164 ext. 102 (George) or ext. 110 (Terry)

Washington State Office of Public Defense

Application for Public Defense Funding

Pursuant to Chapter 10.101 RCW

County _____ Contact name/title _____

Mailing address _____

Phone _____ Email _____

NOTE: Applications are due August 31, 2006. If for some reason the county needs additional time, please contact OPD to request an extension.

1. In 2005, the county paid indigent defense expenses as follows: *(list attorney salaries and benefits, contract attorney amounts [including conflict attorneys], and investigator, expert and other indigent defense costs).*

Total dollar amount spent on indigent defense:	
(a) Total dollar amount spent on adult felony indigent defense:	
(b) Total dollar amount spent on adult misdemeanor indigent defense:	
(c) Total dollar amount spent on indigent dependency/termination parents' representation:	
(d) Total dollar amount spent on juvenile indigent defense:	

This information was () was not () derived from the State Auditor Budgeting Accounting & Reporting System (BARS) categories. If BARS category codes are not currently used for public defense budget reporting, when will the BARS reporting system be implemented? _____

2. In 2005, attorneys providing indigent defense representation had the following caseloads:

Fill in section 2(a) if the county has a public defender agency, such as a department of assigned counsel or one or more non-profit public defense firm(s) whose practice is limited to public defense.

2(a) Counties with public defender agencies.	Number of cases filed as reported to the Administrative Office of the Courts	Number of cases assigned to public defenders	Number of full-time equivalent public defenders	Caseload per full-time equivalent public defender	Number of cases assigned to conflict counsel
Superior Court adult felonies					
District Court adult misdemeanors and gross misdemeanors					
Juvenile Court offender cases					
Juvenile Court dependency/termination cases					
"Becca" cases (truancy contempt, at-risk youth, CHINS)					

Fill in section 2(b) if the county contracts with public defense attorneys or if public defense attorneys are appointed by the court from a list:

2(b) Counties with contract or list appointed public defense attorneys	Number of cases filed as reported to the Administrative Office of the Courts	Number of cases assigned to public defense attorneys	Number of attorneys with public defense contracts (or on court's appointment list)
Superior Court adult felonies			
District Court adult misdemeanors and gross misdemeanors			
Juvenile Court offender cases			
Juvenile Court dependency/termination cases			
"Becca" cases (truancy contempt, at-risk youth, CHINS)			

3. If the county has public defense contracts, fill out the Table of Public Defense Contracts (Table I), and provide a copy of each current contract in alphabetical order by attorney name. (If possible, please provide scanned copies of contracts, by CD or email attachment. Hard copies are acceptable.)

4. If the county courts appoint public defense attorneys from a list, provide the name of each attorney and the compensation paid per case or per hour in the Table of List-Appointed Public Defense Attorneys (Table II).

5. Prior to or upon receipt of Chapter 10.101 RCW public defense funds, the county will require that all indigent defense attorneys attend OPD-approved training at least once per calendar year. Yes () No ()

6. Prior to or upon receipt of Chapter 10.101 RCW public defense funds, the county will require that all private attorneys who contract to provide public defense services begin to report their "hours billed for nonpublic defense legal services . . . including number and types of private cases." (RCW 10.101.050) Yes () No ()

7. The county has adopted a public defense ordinance, which is attached; or, the county is aware that under RCW 10.101.060(1)(a)(i), an ordinance addressing public defense standards must be adopted during calendar year 2007 to maintain eligibility for funding. Yes () No ()

8. The county plans to use these funds for the following purpose; or, alternatively, will employ the following process to determine how to use the funds:

9. Certification

I declare under penalty of perjury under the laws of the State of Washington that the foregoing information is true and correct.

Signature

Date

Printed Name

Title

Place

Washington State Office of Public Defense

Table I: Public Defense Contracts

Name of attorney/firm	Number of Superior Court cases per contract	Number of District Court cases per contract	Number of Juvenile Court offender cases per contract	Number of dependency/termination cases per contract	Conflict cases only? Yes/No (If yes, list payment)

Washington State Office of Public Defense
Table II: List-Appointed Public Defense Attorneys

Name of Attorney/Firm	Method and Rate of Payment (per case/per hour, etc.)

Washington State Office of Public Defense

RCW 10.101.060 Estimated County Funding Distribution

County	2005 Population	2004 Filings	Total Distribution
Adams	17,000	211	\$12,723
Asotin	20,900	220	\$13,717
Benton	158,100	1,683	\$77,882
Chelan	69,200	779	\$37,425
Clallam	66,800	564	\$31,478
Clark	391,500	2,574	\$146,339
Columbia	4,100	40	\$5,838
Cowlitz	95,900	1,748	\$67,342
Douglas	34,700	261	\$17,467
Ferry	7,400	68	\$7,198
Franklin	60,500	454	\$27,441
Garfield	2,400	10	\$4,741
Grant	79,100	848	\$41,124
Grays Harbor	69,800	677	\$34,945
Island	76,000	263	\$25,616
Jefferson	27,600	146	\$13,146
King	1,808,300	10,209	\$618,603
Kitsap	240,400	2,025	\$102,729
Kittitas	36,600	359	\$20,336
Klickitat	19,500	213	\$13,264
Lewis	71,600	1,008	\$43,729
Lincoln	10,100	39	\$6,989
Mason	51,900	531	\$27,716
Okanogan	39,600	363	\$21,026
Pacific	21,300	248	\$14,508
Pend Oreille	12,200	78	\$8,394
Pierce	755,900	6,067	\$306,757
San Juan	15,500	50	\$8,328
Skagit	110,900	977	\$50,645
Skamania	10,300	110	\$8,837
Snohomish	655,800	3,101	\$211,584
Spokane	436,300	4,139	\$194,985
Stevens	41,200	293	\$19,556
Thurston	224,100	2,385	\$108,703
Wahkiakum	3,900	34	\$5,646
Walla Walla	57,500	612	\$30,878
Whatcom	180,800	1,765	\$84,421
Whitman	42,400	224	\$18,034
Yakima	229,300	2,785	\$119,911
Total	6,256,400	48,161	\$2,610,000

Note: City grant funds are not reflected in this Estimated County Funding Distribution table. (RCW 10.101.080)

